

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Zikiteran D. Robinson, #10778-035,)	
)	
Petitioner,)	C.A. No. 4:07-3118-HMH-TER
)	
vs.)	OPINION & ORDER
)	
J. Owens, Warden FCI-)	
Oakdale, and Bureau of Prisons,)	
)	
Respondents.)	

This matter is before the court with the Report and Recommendation of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 of the District of South Carolina.¹ Zikiteran D. Robinson (“Robinson”), a federal prisoner proceeding pro se, seeks habeas corpus relief pursuant to 28 U.S.C. § 2241. In his Report and Recommendation, Magistrate Judge Rogers recommends granting the Respondents’ motion for summary judgment.

Before the deadline to file objections to the Report and Recommendation expired on March 17, 2008, Robinson filed a motion for discovery and to compel the Government to produce his presentence investigation report (“PSR”). Further, on March 15, 2008, Robinson filed a motion to alter or amend judgment pursuant to Rule 59(e) of the Federal Rules of Civil

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1) (2006).

Procedure. Judgment has not been entered in this case. Therefore, the court construes Robinson's motion to alter or amend as objections to the Report and Recommendation.

Objections to the Report and Recommendation must be specific. Failure to file specific objections constitutes a waiver of a party's right to further judicial review, including appellate review, if the recommendation is accepted by the district judge. See United States v. Schronce, 727 F.2d 91, 94 & n.4 (4th Cir. 1984). In the absence of specific objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Upon review, the court finds that Robinson's objections are non-specific, unrelated to the dispositive portions of the Magistrate Judge's Report and Recommendation, or merely restate his claims. Therefore, after a thorough review of the Magistrate Judge's Report and the record in this case, the court adopts the Magistrate Judge's Report and Recommendation. Moreover, Robinson's motion to compel the Government to produce a copy of his PSR is denied as moot.

It is therefore

ORDERED that the Respondents' motion for summary judgment, docket number 15, is granted. It is further

ORDERED that Robinson's motion for summary judgment, docket number 20, is denied. It is further

ORDERED that Robinson's motion for discovery, docket number 24, is denied as moot.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
United States District Judge

Greenville, South Carolina
March 20, 2008

NOTICE OF RIGHT TO APPEAL

The petitioner is hereby notified that he has the right to appeal this order within sixty (60) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.